

Edwin S. Wall, Wyo. Bar No. 5-2728
Wall Law Office
43 East 400 South
Salt Lake City, Utah 84111
Ph: (801) 746-0900
Fax: (801) 364-3232
Email: edwin@edwinwall.com

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

UNITED STATES OF AMERICA,)	
)	STIPULATED MOTION TO MODIFY THE
Plaintiff,)	CONDITIONS OF RELEASE TO ALLOW
)	DEFENDANT TO RESIDE IN THE
v.)	STATE OF UTAH
)	
DEVIN DUTSON,)	Case No. 19CR171
)	
Defendant.)	Hon. ALAN JOHNSON
)	

COMES NOW the Defendant, Devin Dutson, by and through his attorney Edwin S. Wall, hereby moves the Court to permit the defendant to reside in the State of Utah.

Grounds for this motion are:

1. On September 30, 2019, at the Initial Appearance, the United States did not request Mr. Dutson be held pretrial (Dkt. 18), and he was released on bond, without a condition for supervision, pursuant to the court's *Order Setting Conditions of Release*, ("*Release Order*") (Dkt. 19);
2. The *Release Order* requires, *inter alia*, Mr. Dutson "[s]tay in the District of Wyoming and shall not leave without prior permission of the Court." *Release Order*, (Dkt. 19, ¶ 6(b)).
3. Due to the current economic circumstances, Mr. Dutson is unable to sustain his immediate family if he continues to reside in Wyoming;

4. Mr. Dutson would be able to sustain his immediate family if he were able to reside in the State of Utah, as he would be residing with his parents who live in American Fork, Utah, and whose address and telephone number have been provided to the United States Attorney;

5. Mr. Dutson has been able to obtain a professional license from the State of Utah to provide counseling services, and is employable or self-employable if transferred to Utah;

6. Mr. Dutson presently resides in the small community of Powell, Wyoming, where there is constant concern he will be in contact with actual or potential witnesses in the case, is under direct orders not to have any contact with such individuals (*see, Release Order*, Dkt. 19, ¶ 6(f));

7. Mr. Dutson may, from time to time, need to travel back to Powell, Wyoming, to address issues concerning the rental of his home/sale of his home and to attend all court hearings as required, but would reside full-time in Utah, if the present motion is granted;

8. Mr. Dutson's counsel's office is in Salt Lake City, Utah, which is 31 miles from American Fork, Utah, while the distance to Powell, Wyoming, is 462 miles (Google Maps); as such, it will be significantly easier for Mr. Dutson to meet and confer with his legal counsel in this matter if he is able to reside in Utah;

9. All other conditions of the *Release Order* would remain as set by the Court; and,

10. Mr. Eric Heimann, Assistant United States Attorney, has reviewed this motion, the proposed order and is in agreement with and stipulates to the motion herein.

WHEREFORE, it is respectfully requested the terms and conditions of the *Release Order* be modified to provide Mr. Dutson be permitted to reside in American Fork, Utah, with his parents at the address provided to the United States Attorney for the District of Wyoming.

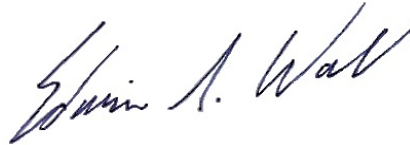
DATED this May 13, 2020.

/s/ Edwin S. Wall
Edwin S. Wall
Attorney for the Defendant

CERTIFICATE OF SERVICE

I, Edwin S. Wall, hereby certify that on May 13, 2020, I served a copy of the attached STIPULATED MOTION TO MODIFY THE CONDITIONS OF RELEASE TO ALLOW DEFENDANT TO RESIDE IN THE STATE OF UTAH upon the counsel for the Plaintiff in this matter by CM/ECF or, if not available, by mailing it by first class mail with sufficient postage prepaid to the following address:

Eric Heimann, Esq. AUSA
United States Attorneys Office
2120 Capitol Avenue, Suite 4000
Cheyenne, WY 82001



Edwin S. Wall,
Attorney for the Defendant